

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

In the Matter of)	
)	
PAUL LAPRADE, M.D.)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
)	DECREE OF CENSURE
Holder of License No. 13306)	
For the Practice of Medicine)	
In the State of Arizona.)	
_____)	

Paul LAPRADE, M.D., holder of License No. 13306 for the practice of medicine, appeared before the Arizona Board of Medical Examiners ("BOMEX") with counsel, on July 20 1995. Based upon the information presented, the Board adopted the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. The Board of Medical Examiners of the State of Arizona is the duly constituted authority for the regulation and control of the practice of medicine in the State of Arizona.

2. Paul LAPRADE, M.D., is the holder of License No.13306 for the practice of medicine in the State of Arizona.

3. C.P., a 31 year old female, was involved in a rear-end motor-vehicle accident on November 28, 1990, and was taken to Scottsdale Memorial Hospital with neck pain and right shoulder pain.

4. On May 14, 1991, Dr. LAPRADE examined C.P., who had continued complaints regarding headaches, neck pain, and right posterior shoulder pain with extension into the right upper extremity.

5. An MRI of January 16, 1991 demonstrated a herniated nucleus pulposus centrally to the left at C5-6 level. Dr. LAPRADE's impression was C5-6 disk herniation. He recommended a cervical myelogram and anterior

discectomy and fusion. No preoperative electromyographic studies were obtained to document nerve impingement.

6. On June 6, 1991, C.P. was admitted to St. Luke's Medical Center. where a myelogram and post myelogram CT scan were performed. Although there was evidence of a small central disk protrusion at the C5-6 level, there was no impingement of the right C6 nerve root and the patient's symptoms were on the right side. The history and physical was dictated almost three weeks after admission.

7. On June 7, 1991, Dr. LAPRADE performed an anterior discectomy and fusion on C.P. using an iliac crest autograft. Although Dr. LAPRADE's operative report indicates an x-ray was obtained showing a needle marker at C5-6 and the intended surgical site was C5-6, Dr. LAPRADE actually performed a fusion of C6-7.

8. Postoperatively, C.P. experienced difficulty with equilibrium and headaches.

9. On June 10, 1991, a neurological consultation was obtained because of the patient's persistent headaches. The consultation report stated that postoperatively the pressure sensation and pain in her right arm had resolved but the neck pain and headaches continued. The neurologist recommended waiting for her response from the surgery.

10. On June 11, 1991, C.P. was discharged. The discharge summary was dictated June 28, 1991.

11. The only postoperative office visit in Dr. LAPRADE's records was on June 25, 1991, when C.P. complained of neck pain, interscapular pain and vague right hand pain. Dr. LAPRADE ordered an EMG and a lateral cervical x-ray.

12. The lateral cervical x-ray obtained on July 8, 1991 revealed a fusion between the bodies of C6 and C7, rather than C5-6.

13. Dr. LAPRADE, in his undated letter to the Board received August 19, 1994, stated that he performed an anterior cervical fusion at the wrong level despite an intraoperative x-ray. He also stated that he "admitted negligence" and "I am not exactly sure how I happened to fuse C6-7, rather than C5-6, but it was an error on my part."

14. On May 20, 1992 the Board issued a Letter of Concern to Dr. LAPRADE, which stated as follows:

"Specifically, the Board was concerned with your technical error in operating at the wrong level of the patient's back; failing to maintain adequate records on this patient wherein there was a two-month delay in documenting your report on the patient's surgery and removing the patient's x-rays from a hospital facility and turning them over to your attorney without the patient's consent."

15. On July 30, 1993, Dr. LAPRADE entered into a Stipulation with the Board to enter into psychotherapy with a psychotherapist approved by Board staff and to continue in psychotherapy at a frequency determined by the psychotherapist.

CONCLUSIONS OF LAW

1. The Board of Medical Examiners of the State of Arizona possesses jurisdiction over the subject matter hereof and over, Paul LAPRADE, M.D.

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. §32-1401(24)(q) (any conduct or practice which is or might be harmful or dangerous to the health of the patient or the public).

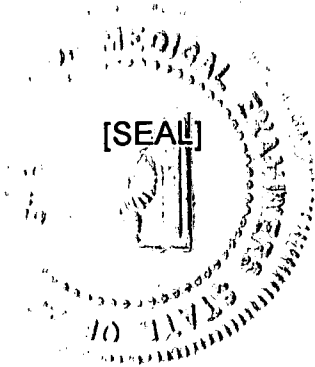
3. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. §32-1401(24)(11) (conduct that the

board determines is gross negligence, repeated negligence or negligence resulting in harm to or death of a patient).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that Paul LAPRADE, M.D. is hereby censured.

DATED this 20th day of July, 1995.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

By *Mark R. Speicher*
Mark R. Speicher
Executive Director